

FILED

FEB 17 2012

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ615-12-20
Superior Court
Docket Number 12-02-00029-S

STATE OF NEW JERSEY)
)
) INDICTMENT
v.)
BRIAN L. BRADY)

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Official Misconduct - Second Degree)

BRIAN L. BRADY.

between on or about March 26, 2007 and on or about October 12, 2010, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did commit the offense of official misconduct, in that the said BRIAN L. BRADY, acting with the purpose to obtain a benefit for himself or another in excess of \$200 or to injure or deprive another of a benefit, did commit an act relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act was unauthorized or that he was committing it in an unauthorized manner, or did refrain from performing a duty

imposed upon him by law or clearly inherent in the nature of his office; that is, the said BRIAN L. BRADY, then and there being a public servant, to wit: a sworn member of the New Jersey Human Services Police with the rank of Captain, having thereby the official functions and duties, among others, to make true and correct time-keeping entries to the New Jersey Human Services Police time sheet system, to utilize officially issued equipment and property in an authorized manner, to refrain from using public property for private purposes, to abide by and follow the Standing Operating Procedures of the New Jersey Human Services Police, to follow and enforce the laws of New Jersey, to conduct himself with undivided loyalty to his public trust, to refrain from activities and avoid conflicts of interest which interfere with the proper discharge of his duties, to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, did make and submit false and fraudulent time sheets to the New Jersey Human Services Police and based upon these false and fraudulent time sheets did receive paid compensation to which he was not entitled to, or did, without authorization, utilize a New Jersey Human Services Police motor vehicle, a New Jersey Human Services Police gas card, gasoline obtained with the said gas card, or a New Jersey Human Services Police EZ Pass transponder, in an unauthorized manner, with the purpose to secure a benefit

to himself or another in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Official Misconduct - Second Degree)

BRIAN L. BRADY

between on or about January 1, 2006 and on or about October 31, 2010, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did commit the offense of official misconduct, in that the said BRIAN L. BRADY, acting with the purpose to obtain a benefit for himself or another or to injure or deprive another of a benefit, did commit an act relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act was unauthorized or that he was committing it in an unauthorized manner, or did refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office; that is, the said BRIAN L. BRADY, then and there being a public servant, to wit: a sworn member of the New Jersey State Human Services Police with the rank of Captain, having thereby the official functions and duties, among others, to qualify twice yearly to carry a department handgun, a department shotgun or a department rifle, to make true and correct reports to the State Range Master of the Office of the Attorney General regarding the qualification status of all members of the New Jersey Human Services Police, to follow and enforce the laws of New Jersey, to conduct himself with undivided loyalty to his public trust, to refrain from activities

and avoid conflicts of interest which interfere with the proper discharge of his duties, to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, and acting with a purpose to obtain a benefit for himself or others, did, having failed to qualify to carry his department handgun, department shotgun or department rifle for the years 2006, 2007, 2008, 2009, nonetheless submit false and fraudulent reports to the State Range Master of the Office of the Attorney General on various dates, with the purpose to secure a benefit to himself or another, contrary to the provisions of N.J.S.A. 2C:30-2, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Official Misconduct - Second Degree)

BRIAN L. BRADY

between on or about December 17, 2007 and September 21, 2009, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did commit the offense of official misconduct, in that the said BRIAN L. BRADY, acting with the purpose to obtain a benefit for himself or another or to injure or deprive another of a benefit, did commit an act relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act was unauthorized or that he was committing it in an unauthorized manner, or did refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office; that is, the said BRIAN L. BRADY, then and there being a public servant, to wit: a sworn member of the New Jersey Human Services Police with the rank of Captain, having thereby the official functions and duties, among others, to utilize the computer system of the New Jersey Human Services Police or other restricted government databases or computer systems, and official records contained therein, in a proper and lawful manner for the discharge of his official duties, to abide by and follow the Standing Operating Procedures of the New Jersey Human Services Police, to follow and enforce the laws of New Jersey, to conduct himself with undivided loyalty

to his public trust, to refrain from activities and avoid conflicts of interest which interfere with the proper discharge of his duties, to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, did access the computer system of the New Jersey Human Services Police or other restricted databases or computer systems, or did cause others to do so, and did obtain information from such databases or computer systems, not in furtherance of his official duties but, instead, in furtherance of his or another's personal interest(s), with the purpose to secure a benefit to himself or another, contrary to the provisions of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Pattern of Official Misconduct - Second Degree)

BRIAN L. BRADY

between on or about January 1, 2006 and on or about October 31, 2010, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did commit the offense of Pattern of Official Misconduct, in that he did commit two or more acts of Official Misconduct, in violation of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, that is, the said BRIAN L. BRADY, then and there being a public servant, to wit: a sworn member of the New Jersey Human Services Police with the rank of Captain, having thereby the official functions and duties, among others, to make true and correct time-keeping entries to the New Jersey Human Services Police time sheet system, to utilize officially issued equipment and property in an authorized manner, to refrain from using public property for private purposes, to qualify twice yearly to carry a department handgun, department shotgun or department rifle, to make true and correct reports to the State Range Master of the Office of the Attorney General regarding the qualification status of all New Jersey Human Services Police members, to utilize the computer system of the New Jersey Human Services Police or other restricted government databases or computer systems, and official records contained therein, in a proper and lawful manner for the discharge of his

official duties, to abide by and follow the Standing Operating Procedures of the New Jersey Human Services Police, to follow and enforce the laws of New Jersey, to conduct himself with undivided loyalty to his public trust, to refrain from activities and avoid conflicts of interest which interfere with the proper discharge of his duties, to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, did commit two or more acts of official misconduct, at least one of which was a crime of the second degree, including, but not limited to, those acts and omissions described in Counts One through Three, which allegations are incorporated by reference as if fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Theft by Deception - Third Degree)

BRIAN L. BRADY

between on or about April 9, 2007 and on or about October 12, 2010, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, purposely did obtain from the State of New Jersey property having a value in excess of \$500, by deception, by creating or reinforcing the false impression that BRIAN L. BRADY was conducting work in furtherance of his employment as a sworn member of the New Jersey Human Services Police with the rank of Captain, contrary to the provisions of N.J.S.A. 2C:20-4, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Tampering with Public Records or Information - Third Degree)

BRIAN L. BRADY

between on or about April 9, 2007 and on or about October 12, 2010, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did knowingly make a false entry in, any record, document or thing belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information for the government, with purpose to defraud or injure another, that is, the said BRIAN L. BRADY, a sworn member of the New Jersey Human Services Police with the rank of Captain, did knowingly make false and fraudulent time-keeping entries in the New Jersey Human Services Police time-keeping system records which are kept by the New Jersey Human Services Police Department, for information or record, knowing the said information to be false, with the purpose to defraud or injure the State of New Jersey, Human Services Police Department, contrary to the provisions of N.J.S.A. 2C:28-7(a)(1), and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Tampering with Public Records or Information - Third Degree)

BRIAN L. BRADY

between on or about March 6, 2007 and on or about March 22, 2010, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did knowingly make a false entry in, any record, document or thing belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information for the government, with purpose to defraud or injure another, that is, the said BRIAN L. BRADY, a sworn member of the New Jersey Human Services Police with the rank of Captain, did knowingly make false and fraudulent reports of the firearms qualification status of the New Jersey Human Services Police kept by the State Range Master of the Office of the Attorney General, for information or record, knowing the said information to be false, with the purpose to defraud or injure the State of New Jersey, Office of the Attorney General, contrary to the provisions of N.J.S.A. 2C:28-7(a)(1), and against the peace of this State, the government and dignity of the same.

COUNT EIGHT

(Computer Theft - Second Degree)

BRIAN L. BRADY

between on or about December 17, 2007 and on or about September 21, 2009, at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, did purposely or knowingly and without authorization, or in excess of authorization, obtain, take, copy or use data, a data base, a computer program, computer software, personal identifying information, or other information stored in a computer, computer network, computer system, computer equipment or computer storage medium, the said data, data base, computer program, computer software or information being or containing governmental records or other information that is protected from disclosure by law, court order or rule of court, that is, the said BRIAN L. BRADY, a sworn member of the New Jersey Human Services Police with the rank of Captain, did solicit other sworn members of the New Jersey Human Service Police, whose identities are known to the Grand Jurors, and having a rank subordinate to the said BRIAN L. BRADY, to access the New Jersey Human Services Police computer system, a computer data base, and, thereby, did obtain, take, copy or use official New Jersey Human Services Police computer information, not in furtherance of the said BRIAN L. BRADY's official duties but, instead, in furtherance of his own personal

interests, contrary to the provisions of N.J.S.A. 2C:20-25a,
N.J.S.A. 2C:20-25e, N.J.S.A. 2C:20-25g, and N.J.S.A. 2C:2-6, and
against the peace of this State, the government and dignity of
the same.

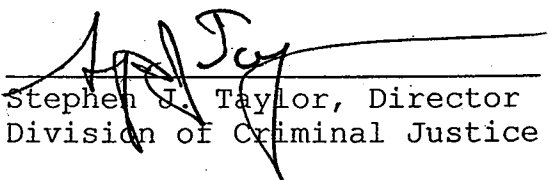
COUNT NINE

(Computer Theft - Third Degree)

BRIAN L. BRADY

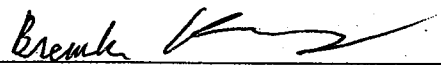
between on or about June 18, 2008 and on or about June 19, 2008, at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, did purposely or knowingly and without authorization, or in excess of authorization, obtain, take, copy or use data, a data base, a computer program, computer software, personal identifying information, or other information stored in a computer, computer network, computer system, computer equipment or computer storage medium, that is, the said BRIAN L. BRADY, a sworn member of the New Jersey Human Services Police with the rank of Captain, did solicit another member of the New Jersey Human Service Police, whose identity is known to the Grand Jurors, and having a rank subordinate to the said BRIAN L. BRADY, to access the New Jersey Human Services Police computer system, a computer data base, and, thereby, did obtain, take, copy or use official New Jersey Human Services Police computer information, not in furtherance of the said BRIAN L. BRADY's official duties but, instead, in furtherance of his own personal interests, contrary to the provisions of N.J.S.A. 2C:20-25a, N.J.S.A. 2C:20-25e,

N.J.S.A. 2C:20-25g, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



Stephen J. Taylor, Director
Division of Criminal Justice

A TRUE BILL:



, Foreperson

Dated: 2/17/2012

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State Grand Jury Judge

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STATE OF NEW JERSEY)

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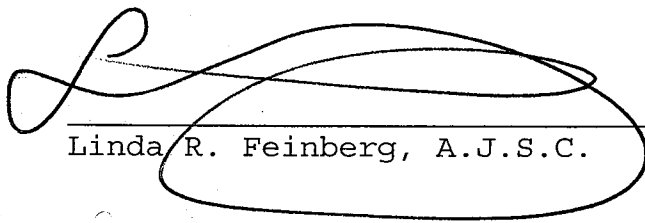
BRIAN L. BRADY)

ORDER OF VENUE

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this 17th day of February, 2012, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Mercer be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Mercer for filing.



Linda R. Feinberg, A.J.S.C.